

Monday, June 9, 2025
Hon. Mae A. D'Agostino, Presiding
Clerk: Britney Norton
Steno: Lisa Tennyson

UNITED STATES OF AMERICA,

vs.

1:23-cr-491 (MAD)

OLUWASEUN ADEKOYA,
Defendant.

APPEARANCES: Office of the U.S. Attorney for the NDNY by: **Benjamin Clark, AUSA,**
Joshua Rosenthal, AUSA, and Matthew Paulbeck, AUSA for the
Government.

Pro se Defendant: **Oluwaseun Adekoya**, defendant.

O'Connell and Aronowicz by: **Ryan Forbes, Esq.**, stand-by counsel for
defendant.

CRIMINAL JURY TRIAL - DAY 1 – Monday, June 9, 2025

9:25 a.m. Judge D'Agostino enters.
The defendant is in the courtroom in civilian clothes and not restrained in anyway.

9:26 a.m. The Defendant addresses the Court regarding his move from Albany County
Correctional facility due to the letter filed on Friday, 6/6/25 by the Government.
The Court does not control where a defendant is housed, but informs the parties
that she will make rulings regarding the 404(b) matters as necessary.

9:29 a.m. Counsel for the Government responds to the defendant's statements.

9:35 a.m. Recess until the jury panel is ready.

9:55 a.m. Judge D'Agostino enters.
Clerk calls case. Appearances noted for the record.

9:56 a.m. The jury panel is sworn (Oath to Veniremen).

9:57 a.m. Judge D'Agostino addresses the jury panel.

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10:00 a.m. Sidebar with potential jurors – sensitive questions and challenges for cause addressed privately at sidebar – jurors excused for cause.

11:39 a.m. Recess

11:59 a.m. The Jury pool returns to the courtroom.

11:59 a.m. 12 jurors are seated in the jury box.

12:01 p.m. Judge D'Agostino voir dire of jurors.

12:43 p.m. Sidebar – Peremptories exercised round 1.

12:51 p.m. Lunch Recess until 1:45 p.m.

1:47 p.m. Jury Pool enters the Courtroom.

1:49 p.m. Judge D'Agostino enters.

1:50 p.m. Sidebar with counsel to address jurors who raised issues during the lunch recess. Jurors excused for cause.

1:52 p.m. Judge D'Agostino voir dire of newly seated jurors.

2:08 p.m. Sidebar with counsel – peremptories exercised round 2.

2:11 p.m. Empty jury seats refilled.

2:12 p.m. Judge D'Agostino voir dire of newly seated jurors.

2:18 p.m. Sidebar with counsel – peremptories exercised round 3.

2:20 p.m. Empty jury seats refilled.

2:21 p.m. Judge D'Agostino voir dire of newly seated jurors.

2:22 p.m. Sidebar with juror – juror excused for cause.

2:27 p.m. Empty jury seat refilled.

2:27 p.m. Judge D'Agostino continues voir dire of newly seated jurors.

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- 2:32 p.m. Sidebar with counsel and juror.
- 2:37 p.m. Judge D'Agostino voir dire of newly seated jurors.
- 2:42 p.m. Sidebar – jury of 12 is seated
- 2:42 p.m. Counsel and the defendant state for the record:
- The jury of 12 is acceptable to the Government
 - The jury of 12 is acceptable to the defense.
- 2:42 p.m. The jury of 12 is seated and sworn (Oath to Jurors in Criminal Case).
- 2:43 p.m. Judge D'Agostino addresses the 12 jurors.
The jury of 12 is excused to the jury deliberation room while the alternate jury is selected.
- 2:47 p.m. 6 jurors are seated in the jury box.
- 2:48 p.m. Judge D'Agostino voir dire of 6 jurors in the jury box for alternate jury selection.
- 2:53 p.m. sidebar with counsel and juror – juror excused for cause.
- 2:53 p.m. Empty jury seat refilled.
- 2:53 p.m. Judge D'Agostino voir dire of potential alternate jurors.
- 3:00 p.m. Empty jury seat refilled.
- 3:01 p.m. Sidebar with counsel and juror – jury excused for cause.
- 3:02 p.m. Empty jury seat refilled.
- 3:02 p.m. Judge D'Agostino continues voir dire of potential alternate jurors.
- 3:09 p.m. Sidebar with counsel – peremptories exercised.
- 3:10 p.m. Counsel and the defendant state for the record:
- The Alternate jury of 4 is Acceptable to the Government.
 - The Alternate jury of 4 is Acceptable to the Defense.

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- 3:10 p.m. Judge D'Agostino inquires of counsel regarding the remaining jurors in the back of the Courtroom. The parties agree to Strike the 2 remaining jurors in the back of the Courtroom.
- 3:12 p.m. The Alternate jurors are excused to the jury deliberation room.
- 3:12 p.m. Recess.
- 3:26 p.m. Judge D'Agostino enter.
- 3:32 p.m. The Jury enters.
- 3:32 p.m. Judge D'Agostino gives a Preliminary Charge to the jury.
- 3:50 p.m. Government Closing Arguments.
- 4:13 p.m. Defense Closing Arguments.
- 4:24 p.m. Counsel for the Government addresses the Court regarding Government Exhibit G-67A – certified records of Cyprus Credit Union – as self authenticating as a business record.
- 4:25 p.m. Judge D'Agostino **Accepts G-67A as self-authenticating.**
- 4:29 p.m. The Government calls as its' *1st witness*, **T.B.** The witness is sworn and questioned. **G-67A** presented to witness.
- 4:43 p.m. The Government offers G-68 into evidence, for the same reason as G-67A. No objections from the defendant.
G-68 is Accepted and Received.
- 4:44 p.m. The Government continues direct-examination of witness, **T.B.** G-293 is offered into evidence. **G-293 is Accepted and Received.**
- 4:48 p.m. Defense cross-examination of witness, **T.B.**
- 4:50 p.m. Judge D'Agostino addresses the jury.
The jurors are excused until tomorrow, June 10, 2025 at 9:00 a.m.

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- 4:50 p.m. Judge D'Agostino addresses counsel and the defendant:
Mr. Adekoya raises his objections with any witnesses being called from out of state as prejudicial.
Judge says she has heard this argument pretrial in filings and that the government has the burden of proving venue in this District.
She will not preclude witnesses from out of state, but the issue will be put before the jury because the Government has the burden
- Mr. Adekoya Asks to be able to bring his flash drives from jail to court every day.
Judge says she has no prohibition on that. Mr. Adekoya says he will ask the jail.
The defendant challenges exhibit number 75 - he says it is not the actual website that the Government says it is.
- 5:00 p.m. Court stands adjourned until tomorrow, June 10, 2025 at 9:00 a.m.